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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,350	02/05/2001	Robert A. Veschi	PA1479US	5175
42624	7590	02/08/2006	EXAMINER	
DAVIDSON BERQUIST JACKSON & GOWDEY LLP 4300 WILSON BLVD., 7TH FLOOR ARLINGTON, VA 22203			PHAM, TUAN	
			ART UNIT	PAPER NUMBER
			2643	
DATE MAILED: 02/08/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/777,350	Applicant(s) VESCHI, ROBERT A.	
	Examiner TUAN A. PHAM	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-26 and 28-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/03/2005 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 21-22, 24-26, 28-29, 31-33, and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kozdon et al. (U.S. Patent No.: 6,937,724, hereinafter, "Kozdon") in view of Greaves (U.S. Patent No.: 5,408,529) and further in view of Maurer et al (U.S. Patent No.: 5,048,076).**

**Regarding claims 21, 24, 25, and 31,** Kozdon teaches a circuit for notifying a user of an Internet telephony device of an incoming telephone call in an audio signal, the circuit comprising (see figure 2):

one or more switches for routing the audio input signal to a speaker remote from a headset if an incoming call signal are detected and otherwise routing the audio input signal to the headset if an incoming call signal are not detected (see figure 3, figure 4, col.3, ln.8-67).

It should be noticed that Kozdon fails to teach one or more a plurality of frequency filters (i.e., band pass filter), one for each of said plurality of certain frequencies, and each filter constructed and adapted to detect a different one of the plurality of certain frequencies for detecting one or more frequencies corresponding to an audio input signal, and one or more a plurality of switches, one for each of said plurality of frequency filters, each connected to a different one of said plurality of frequency filters. However, Greaves teaches such features (see figure 9, BPF 210, 211, switches 232, 230, 240, 242, col.12, ln.1-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Greaves, into view of Kozdon in order to avoid the problem of speech interference as suggested by Greaves at column 1, lines 60-65.

Kozdon and Greaves, in combination, fails to teach the detection based on the presence of a plurality of certain frequencies indicative of a multi-frequency ring signal. However, Maurer teaches such features (see col.16, ln.30-45).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Maurer, into view of Kozdon

and Greaves in order to avoid the problem of speech interference as suggested by Greaves at column 1, lines 60-65.

**Regarding claim 22**, Greaves further teaches the circuit wherein the one or more plurality of frequency filters are comprises bandpass band pass filters (see figure 9, BPF 210, 211, switches 232, 230, 240, 242, col.12, ln.1-67).

**Regarding claim 28**, Kozdon further teaches the method wherein the signal corresponding to an incoming call is packet (see col.2, ln.35-40).

**Regarding claim 29**, Kozdon further teaches the method wherein the output signal is a tone signal (see col.2, ln.35-48).

**Regarding claim 32**, Greaves further teaches plurality of switches are connected in series (see figure 9, switch 230 is closed at 221, switch is closed at 221).

**Regarding claim 35**, Greaves further teaches said step of detecting comprises: detecting the presence of at least two distinct simultaneous frequencies for a duration indicative of said ring signal (see figure 4).

**Regarding claim 36**, Hanson further teaches a plurality of frequency filters, each corresponding to a different frequency indicative of said multi-frequency signal, and each filter constructed and adapted to detect a different frequency indicative of the multi-frequency signal, and a plurality of capacitors, one corresponding to each of said plurality of frequency filters, each connected to a different one of the plurality of frequency filters, for filtering out signals having certain durations (see figure 2, filters 202-1 to filter 202-N, capacitor 205-1 to 205-N), Greaves further teaches a plurality of switches connected in series, one corresponding to each of said plurality of frequency

filters, each connected to a different one of said plurality of capacitors (see figure 9, plurality of switch), and Kozdon teaches selectively causing said audio signal to be routed to a speaker remote from a headset when said frequency indicative of said multi-frequency signal are detected for a sufficient period of time by said plurality of frequency filters in conjunctions with said plurality of capacitors, and otherwise causing said audio signal to be routed to said headset (see col.2, ln.35-48).

**Regarding claims 26 and 33**, Greaves fails to teach the multi-frequency ring signal comprises the range 520 Hz and 3250 Hz signals. However, Greaves teaches the frequency ranges from 697 Hz to 1633 Hz, by changing the value of the frequency ranges as claimed would not involve any inventive feature, since it is just a matter of selecting the value of the frequency ranges in order to meet the filtering characteristic of the particular frequency band.

**4. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kozdon et al. (U.S. Patent No.: 6,937,724, hereinafter, "Kozdon") in view of Greaves (U.S. Patent No.: 5,408,529) and further in view of Maurer et al (U.S. Patent No.: 5,048,076) as applied to claim 1 above, and further in view of Hanson (U.S. Patent No.: 4,227,055).**

**Regarding claim 23**, Kozdon, Greaves, and Maurer, in combination, fails to teach one or more a plurality of capacitors, one for each of said plurality of frequency filters, for filtering noise in said audio input signal to prevent false detects of incoming

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telephone calls. However, Hanson teaches such features (see figure 2, filter 202-1, capacitor 205-1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hanson, into view of Kozdon, Greaves, and Maurer in order to remove the DC component.

**5. Claims 30 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kozdon et al. (U.S. Patent No.: 6,937,724, hereinafter, "Kozdon") in view of Greaves (U.S. Patent No.: 5,408,529) and further in view of Maurer et al (U.S. Patent No.: 5,048,076) as applied to claims 24 and 25 above, and further in view of Moganti (U.S. Patent No.: 6,229,878).**

**Regarding claims 30 and 34**, Kozdon, Greaves, and Maurer, in combination, fails to clearly teach the method wherein the output signal is an announcement. However, Moganti teaches such features (see col.3, ln.10-43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Moganti, into view of Kozdon, Greaves, and Maurer in order to notify the user that he/she has the incoming calls.

### Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz can be reached on (571) 272-7499 and

**IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (571) 272-2600 FOR THE SUBSTITUTIONS OR COPIES.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2643  
January 26, 2006  
Examiner

Tuan Pham

  
**DUC NGUYEN**  
**PRIMARY EXAMINER**